S.B.CIVIL MISC. APPEAL NO.1144/2005

Moti Lal Dangi and others.
vs.
Smt. Sohan Kunwar and others.

DATE OF JUDGMENT ::: 10.1.2006

PRESENT

HON'BLE MR. PRAKASH TATIA, J.

Mr. RK Thanvi, for the appellants
Mr. Vikas Balia, for the respondents no.1 to 3
Mr. Lalit Kawadia, for the respondent UIT.

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Heard learned counsel for the parties.

Looking to the peculiar facts of the case, it would be just and proper to decide the appeal itself with a direction to the trial court to decide the suit within a period of one year from the date of receipt of certified copy of this order. Both the parties undertake that they will cooperate the trial court in deciding the suit and shall not seek unnecessary adjournments. Both the parties agree that in that situation, if the order to maintain status quo is passed, they shall have no objection.

Accordingly, this appeal is disposed of with a direction to the trial court to decide the suit within a period of one year from the date of receipt of certified

copy of this order, which may be sent to the trial court forthwith. Both the parties shall cooperate the trial court in deciding the suit and shall not seek unnecessary adjournments. Meanwhile, both the parties shall maintain status quo with respect to the property in dispute.

(PRAKASH TATIA), J.

S.Phophaliya